

Plaintiff: ARNETHA BOYD
vs
Defendant: WAL-MART STORES, INC.

Civil Docket No.: 2021CV00445

In The City Court of Pineville
City of Pineville and Parish of
Rapides
State of Louisiana
Telephone: (318) 449-5656

CIVIL CITATION

TO: WAL-MART STORES, INC.
THROUGH ITS AGENT FOR SERVICE OF PROCESS Alternately At:
CT CORPORATION SYSTEM
3867 PLAZA TOWER ROAD
BATON ROUGE, LA 70816

You are hereby notified that **YOU HAVE BEEN SUED** in this Court by the above named plaintiff(s), per the attached copy of the petition which has been filed.

You are hereby cited either to comply with the demand contained in the
PETITION FOR DAMAGES WITH ATTACHED DOCUMENTS

of which is annexed hereto, or make an appearance either by filing an answer or other pleading in the office of the Clerk of Court of Pineville in the City Court Building at 904 Main St. in the City of Pineville, Louisiana, Rapides Parish, within **TEN (10)** days after service hereof.

Do not fail to respond, under penalty of default.

Witness the Honorable Judges of the City Court of Pineville, Pineville, Louisiana
this 29th day of December, 2021.

[Signature]

Deputy Clerk of City Court For
Pineville City Court

RETURN OF SERVICE

On _____ (DATE) I received the within document(s) and on _____ (DATE)

I made service as follows:

- [] 1. PERSONAL SERVICE: By tendering a certified copy of the citation and of the petition to him personally at _____ in the Parish of _____ State of Louisiana. Signature: _____
- [] 2. DOMICILIARY SERVICE: By leaving a certified copy of the citation and of the petition at his dwelling-house or usual place of abode at _____ in the parish of _____, State of Louisiana, with _____ a person of suitable age and discretion who was then residing in the domiciliary establishment.
- [] 3. UNABLE TO SERVE for the following reason: _____



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Deputy City Marshal

Form: 0002

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EXHIBIT

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CIVIL SUIT NO: 2021-CV-445

ARNETHA BOYD

*

PINEVILLE CITY COURT

Versus

*

PARISH OF RAPIDES

WAL-MART STORES, INC.

*

STATE OF LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT comes plaintiff, **ARNETHA BOYD**, a resident of the Parish of Rapides, State of Louisiana, who respectfully presents the following:

1.

Made defendants are:

WAL-MART STORES, INC., a foreign corporation licensed to do and/or doing business in the State of Louisiana who may be served through its agent of service of process CT Corporation System, 3867 Plaza Tower Road, Baton Rouge, Louisiana 70816;

2.

Defendants herein are individually, jointly and in solido responsible unto plaintiff for damages enumerated herein. In addition, plaintiff is entitled to legal interest from the date of judicial demand and all costs of these proceedings.

3.

On or about August 12, 2021, plaintiff, **ARNETHA BOYD** was a customer in Walmart Supercenter, located in the town of Pineville, which is in the state of Louisiana. While walking through the store, Arnetha Boyd slipped and fell in a wet substance located on the floor. The wet substance on the floor was the result of buffing machine being operated by a Walmart employee and/or third party at the request of the defendant. A wet substance was spraying water from the buffing machine onto the floor, creating, an unreasonably hazardous condition.

4.

The incident was caused by the negligence and fault of defendant, **WAL-MART STORES, INC** in the following particulars:

- a. Failure exercise reasonable care to keep the aisles, passageways and floors of the store in a reasonably safe condition.
- b. Failure to keep the floor free of the hazardous condition, the, which caused plaintiff to slip and fall.
- c. Failure to implement adequate cleaning procedures for the aisles within the store;
- d. Failure to recognize and timely clean the spill in question;
- e. Failure to place warning signs on the affected area;
- f. Failure to warn the plaintiff and/or customers of the existence of the affected area;
- g. Failing to make periodic inspection of the aisles within the store to determine whether an unreasonably dangerous condition exists;

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- h. Failure to maintain it's equipment resulting in the leak and accumulation of water on the floor; and
- i. Other acts of negligence and fault that will be shown at the trial of this matter.

5.

As a result of the above-described accident, plaintiff **ARNETHA BOYD** suffered injuries to her body and mind including but not limited to her neck, shoulders and low back.

6.

As a result of the above described accident and related injuries, plaintiff, **ARNETHA BOYD** sustained the following damages:

- a. Physical pain and suffering (past and future);
- b. Mental pain and suffering (past and future);
- c. Medical bills (past and future);
- d. Loss of enjoyment of life (past and future);
- e. Physical disability;
- f. Loss of use.

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7.

Plaintiff claims damages from the defendants in an amount deemed reasonable in the premises. Plaintiff's damages exceed \$10,000, but are not greater than \$50,000.

8.

Attached are Interrogatories and Request for Production of Documents that are to be answered in accordance with the law.

WHEREFORE, plaintiff prays that her petition be filed and served upon defendants, ordering them to answer the allegations contained herein; that after legal delays and proceedings are complete, there be judgment in favor of plaintiff, **ARNETHA BOYD**, and against defendant, **WAL-MART STORES, INC**, for damages in an amount reasonable in the premises, together with legal interest from the date of this demand and for all costs of these proceedings.

Plaintiff further prays for all general and equitable relief.

Respectfully Submitted:

BRIAN CAUBARREAU & ASSOCIATES

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Attorneys for Plaintiff

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SERVICE INFORMATION

WAL-MART STORES, INC,


who may be served through its agent of service of process

CT Corporation System

3867 Plaza Tower Road

Baton Rouge, Louisiana 70816

I certify that the foregoing is a true and
correct copy of the original on file and of
record in the Office of the City Court, this
29 day of Dec. 21


Clerk of the Court